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A SUMMARY OF AMNESTY INTERNATIONAL'S CONCERNS

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The human rights situation in Indonesia and East Timor has not improved over the last year, in spite of government promises of greater political openness. At least four political prisoners were executed in February 1990 after more than 20 years in prison and six others were thought to be in imminent danger of execution in March. More than 100 critics or opponents of the government were prisoners of conscience; at least 70 of them were sentenced to lengthy prison terms in a series of trials for subversion which began in 1989. There were serious doubts about the fairness of political trials; in some cases courts accepted as evidence statements allegedly obtained under duress during pre-trial custody. There were frequent reports of the torture and ill-treatment of political detainees sometimes resulting in death. In East Timor more than 200 peaceful protesters and government critics were detained without charge for short periods and some were ill-treated or tortured. At least 20 people were reported to have been unlawfully executed by members of the Indonesian security forces in East Timor.

This document summarizes Amnesty International's concerns in Indonesia and East Timor over the past year. It is not a comprehensive account of all reported human rights violations in the territory, but deals thematically, through selected examples, with the range of violations documented by Amnesty International.

This summarizes a 7-page document, Indonesia/East Timor: A Summary of Amnesty International's Concerns in Indonesia and East Timor (AI Index: ASA 21/05/90), issued by Amnesty International in March 1990. Anyone wanting further details or to take action on this issue should consult the full document.

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MARCH 1990

A SUMMARY OF AMNESTY INTERNATIONAL'S CONCERNS IN INDONESIA AND EAST TIMOR

Introduction

The human rights situation in Indonesia and East Timor has not improved over the last year, in spite of government promises of greater political openness. At least four political prisoners were executed in February 1990 after more than 20 years in prison and six others were thought to be in imminent danger of execution in March. More than 100 critics or opponents of the government were prisoners of conscience; at least 70 of them were sentenced to lengthy prison terms in a series of trials for subversion which began in 1989. There were serious doubts about the fairness of political trials; in some cases courts accepted as evidence statements allegedly obtained under duress during pre-trial custody. There were frequent reports of the torture and ill-treatment of political detainees sometimes resulting in death. In East Timor more than 200 peaceful protesters and government critics were detained without charge for short periods and some were ill-treated or tortured. At least 20 people were reported to have been unlawfully executed by members of the Indonesian security forces in East Timor.

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Background

The government faced a level of open political opposition seldom witnessed in the 24 years since President (formerly General) Suharto seized power after an attempted coup in October 1965. Government critics and opponents included Islamic activists, university students and groups seeking independence from Indonesia in East Timor, Irian Jaya (West Papua) and Aceh. Responding in part to government promises of greater political openness early in the year, criticism frequently took the form of open demonstrations and vocal protests. In spite of its promises, the government took harsh measures against most real or perceived critics. At least 70 were sentenced to long prison terms under the sweeping Anti-Subversion Law of 1963, which bears a maximum penalty of death.

A clash between Islamic activists and security forces in February 1989 resulted in more than 100 deaths, according to unofficial sources. A crackdown on several Islamic groups ensued and the authorities arrested scores of suspected advocates of an Islamic state. Some of those arrested were tried on charges of subversion. Armed riot police and military forces dispersed peaceful student demonstrations in April, July and August 1989. Numerous arrests and injuries accompanied the dispersals. Most of those held were released within a few days. At least 11 people who had staged a demonstration at a university in Bandung remained in custody for more than four months, and six of them received sentences of three years in prison on charges of insulting a government official. In Irian Jaya dozens of supporters of secession who staged a public ceremony in December 1988 were charged with subversion. Hundreds suspected of sympathizing with secession were reportedly detained during the year.

In January 1989 the Indonesian Government announced the official "opening" of East Timor to tourism and commerce. However, serious human rights violations continued to be reported there. People who disseminated human rights information and suspected members or supporters of the Frente Revolucionaria de Timor Leste (Fretilin), which has been waging a guerrilla war for independence since 1975, were among the reported victims of these abuses. Bishop Carlos Ximenes Belo, the Apostolic Administrator of Dili, criticized Indonesia's human rights record in the territory and called for a United Nations-supervised referendum on the political future of the territory. In October Pope John Paul II visited Indonesia and East Timor and appealed publicly for the protection of human rights.

Prisoners of Conscience

Islamic Activists: At least 35 of the dozens of Islamic activists detained after February 1989 had been convicted of subversion by the end of February 1990 in trials in Lampung, Jakarta, Badung, Bogor, Bima, Aceh and Madura. Seven received life sentences and three, including a 16-year-old boy, were sentenced to 20 years' imprisonment: the rest were sentenced to terms of between three and 17 years. More than 15 others were still being tried at the end of February 1990. Most were charged with subversion through undermining the state ideology, Pancasila, and attempting to establish an Islamic state. Some were also accused of isolated acts of violence, but the majority of those sentenced appeared to be prisoners of conscience.

Emeng Abdurachman, an Islamic activist tried in Bandung, was accused of giving lectures which criticized the government and Pancasila, and of attempting to set up an Islamic state. In September 1989 he was found guilty of subversion and sentenced to five years in prison. The court acknowledged that his activities had been non-violent but found that his aims were subversive.

In December 1989 Haji Abdul Ghani Masykur received an 11-year prison sentence (later reduced on appeal to eight years) in Bima, West Nusa Tenggara province; he was accused of attending a meeting in February 1989 where there were discussions on the establishment of an Islamic state, and of contacting other Islamic activists. Zainal Arifin, who was said to have attended the same meeting and to have given lectures criticizing the government's birth control program, was sentenced to nine years' imprisonment.

At least 300 Islamic activists imprisoned for subversion in previous years remained in custody throughout the year. At least 40 were prisoners of conscience, convicted of involvement with usroh groups, which advocate closer ties among Muslims and a stricter adherence to Muslim teachings (see Indonesia: The Imprisonment of Usroh Activists in Central Java, October 1988, ASA 21/15/88).

Other Religious Groups: Despite an official policy of religious tolerance, people were arrested and sentenced to prison terms for practising their faith. A court in Wonogiri convicted two elderly Jehovah's Witnesses, Suyadi and Sukasmin, of undermining public order by disseminating the teachings of an illegal organization. At least 22 other followers of the faith, which was banned in 1976, were reportedly detained in other parts of the country (see Indonesia: Two Jehovah's Witnesses Imprisoned, August 1989, ASA 21/09/89). In East Timor eight members of the Association of Santo Antonio, a Christian sect, were convicted of belonging to an illegal organization. The eight were among the thousands of East Timorese reportedly arrested in November 1988, most of whom were released without charge (see Amnesty International Statement to the United Nations Special Committee on Decolonization, August 1989, ASA 21/11/89).

Student Activists: Bambang "Isti" Nugroho, the coordinator of the Palagan Study Group at Gajah Mada University, Yogyakarta, and Bambang Subono, a student there, were both convicted of subversion and sentenced to eight and seven years' imprisonment respectively. Charges against them included holding illegal discussion meetings, possessing banned literature and criticizing government policies (see Indonesia: Subversion Trials in Yogyakarta, August 1989, ASA 21/10/89). A third man, Bonar Tigor Naipospos, was arrested in Jakarta in June on related charges. He had not been brought to trial by the end of the year.

Six university students arrested after a demonstration at the Bandung Institute of Technology in August were charged with expressing "feelings of hostility, hatred or contempt toward the Indonesian Government". They all received sentences of three years in prison, although the prosecutor in each case had requested sentences of only two years. Five other students arrested for their alleged part in the demonstration were temporarily released in December 1989 but were brought to trial in February 1990. The lawyers of the first six students tried reportedly received death threats, which they attributed to military sources, after publicly stating that some of their clients had been illegally detained and ill-treated in custody.

Irian Jaya: In Irian Jaya, 37 people were convicted of subversion for taking part in a peaceful flag-raising ceremony in December 1988 to proclaim the independent state of "West Melanesia"; all were believed to be prisoners of conscience. In September 1989, the leader of the group, Dr Thomas Wainggai, was sentenced to 20 years' imprisonment. Other members, including the women who had sewn the flag, received terms of between four and eight years' imprisonment. Four people who reportedly had planned, but not carried out, a similar flag-raising were also convicted of subversion and sentenced. These convictions brought the number of political prisoners in Irian Jaya to over 100.

Political Prisoners and Unfair Trials

Roughly 50 prisoners detained in the late 1960s are still held for alleged involvement in a 1965 coup attempt which the authorities attributed to the Indonesian Communist Party (PKI). A massive purge of the formerly legal party and its affiliated organizations resulted in an estimated 500,000 deaths and about one million arrests after the coup attempt. The majority of those still in detention may be prisoners of conscience, held for their lawful left-wing political activities. Amnesty International believes that most "PKI" prisoners were convicted in trials which failed to meet internationally accepted standards of fairness. Thousands of former "PKI" prisoners are required to report regularly to local military authorities and continue to suffer officially sanctioned discrimination in employment, political and other fields.

At least 18 political prisoners were released. Pudji Aswati, aged 60, and Kartini, aged 65, were released in January after 20 years' imprisonment for their alleged involvement in the 1965 coup attempt. Sundari Abdulrachman, a former member of parliament imprisoned on similar charges, was released in August after serving over 20 years in prison. In addition to these three women who were "PKI prisoners", those released included two Islamic activists and three suspected members of the Free Papua Movement (OPM), and at least 10 East Timorese political prisoners.

Serious doubts remained about the fairness of political trials conducted in 1989 and in previous years, particularly those held under the sweeping Anti-Subversion Law of 1963. Proceedings against alleged Islamic militants and student activists appeared to be political show-trials aimed at intimidating critics of the government (See Indonesia: Subversion Trials in Yogyakarta, Augutst 1989, ASA 21/10/89). The legal basis and factual evidence for prosecutions were frequently obscure and a number of political prisoners were apparently convicted on the basis of uncorroborated statements obtained under duress. In July 1989 Husni bin Muhammad, an Islamic activist, was tried without the benefit of legal counsel and sentenced to three years' imprisonment for subversion. Human rights lawyers said that he and two others arrested on similar charges in December 1988 had declined legal counsel after they were beaten and held in isolation cells at Bogor jail.

Under a Ministry of Justice order issued on 15 April certain categories of prisoners, including political prisoners convicted of subversion, were denied entitlement to benefits such as temporary home leave and parole normally granted for good behaviour.

Torture and Ill-treatment

Torture and ill-treatment of both criminal suspects and political detainees were frequently reported, and some victims allegedly died as a result. Police and military authorities usually claimed that the prisoners had committed suicide, suffered accidents or died of sudden illness. In April 1989, Iwan Nirwana, a criminal suspect, died in police custody in Cianjur. Police suspected of torturing him reportedly offered his family unofficial financial compensation and a truck-load of vegetables. Another criminal suspect, Didin Tajudin, died in police custody in September 1989. His corpse was reportedly covered with open wounds and bruises. Relatives said that he had complained of beatings by police; the police alleged that he had committed suicide. No official inquiries into these deaths were known to have been conducted.

Dozens of police and military officers were tried in 1989 for allegedly torturing or ill-treating prisoners. At least five were convicted of causing prisoners' deaths, but most received short prison sentences. In September 1989 two police officers were jailed for seven and 10 months for beating to death a prisoner called Sutaji. In June two others convicted of beating to death 17-year-old Bakri Budi Santoso received sentences of two and a half and three and a half years.

Some prisoners died in custody as a direct result of prison conditions which appeared to constitute cruel, inhuman or degrading treatment. Gustav Tanawani, a political prisoner convicted of subversion in 1984, died in custody at Madiun jail in January 1989. Prison officials had denied his repeated requests for medical treatment. Government authorities failed to provide his family with a death certificate, a post-mortem report or the opportunity to view the corpse before burial. According to reports received in September 1989, two prisoners had died and 15 were chronically ill because of harsh conditions at the Kalimantan Timur prison. A Ministry of Justice official said that the prison, designed to hold 500 inmates, held 800 people and lacked both a resident doctor and sufficient financial resources to feed prisoners properly.

Short-term Detention and Ill-treatment in East Timor

An estimated 200 people, including human rights activists, were arrested in East Timor during 1989 on suspicion of sympathizing with Fretilin or other opponents of Indonesian rule in the territory. Most were held without charge or trial, reportedly tortured and ill-treated and subsequently released. Bishop Belo of Dili said that the torture and ill-treatment of detainees was commonplace in East Timor and condemned government denials of the practice. Three men involved in compiling information about human rights violations -- Filomeno Gomes, Lazaro Ribeiro and Jaime dos Santos -- were among dozens of political detainees reportedly tortured while held without charge. Detainees were subjected to electric shocks, beatings, burnings with lighted cigarettes, and several hours' immersion in water tanks (see Amnesty International Statement to the United Nations Special Committee on Decolonization, August 1989, ASA 21/11/89).

At least 25 people, most of them students, were detained between October 1989 and February 1990 for their part in a series of apparently peaceful pro-independence demonstrations. Many were said to have been released after questioning, but some detainees were reportedly tortured with electric shocks and beaten while held in unofficial military detention centres. The first demonstration took place during the visit of Pope John Paul II to East Timor in October 1989. On 17 January 1990, a number of people were seriously injured when Indonesian security forces dispersed an apparently peaceful pro-independence demonstration at the Hotel Turismo in Dili (see East Timor: Short-Term Detention and Ill-Treatment, August 1990, ASA 21/02/90). Amnesty International believed that this pattern of short-term detention and ill-treatment could serve to intimidate real and suspected opponents of the government, and that many of those detained -- however briefly -- may have been or may still be prisoners of conscience.

Unlawful Killings

At least 20 people were reportedly extrajudicially executed by members of the security forces in East Timor in late 1988 and 1989. Josefina Facundo was reportedly bound, raped and killed by army troops near Poros in January 1989. Soldiers ostensibly searching for her husband, an alleged Fretilin supporter, had forced her to accompany them into the jungle. Parts of her mutilated body were later reportedly dropped at her village. In June three unarmed young men cutting wood outside the permitted timbering area near Ossu were reportedly killed by government forces. Soldiers apparently accused the three of being Fretilin spies, tied them together and immediately shot them. Their decaying bodies were discovered, still bound, several days later.

In an autobiography published in January 1989, President Suharto said that the so-called "mysterious killings" of some 5,000 people during the "anti-crime" campaigns of 1983 to 1986 were officially sanctioned summary executions of suspected criminals (see Amnesty International Report 1984, 1985 and 1986).

The Death Penalty

The Indonesian Government has used the death penalty with increasing frequency in recent years and it has used the punishment disproportionately against political prisoners. On 15 February 1990, four political prisoners sentenced to death for their alleged involvement in the 1965 coup attempt -- Satar Suryanto, Yohanes Surono, Simon Petrus Soleiman ad Noor Rohayan -- were executed by firing squad after more than 24 years in prison. Bambang Sispoyo, an Islamic activist convicted of subversion and murder in 1985, was reportedly executed in July 1989. These executions brought to at least 26 the number of prisoners executed since 1985 compared to four in the previous ten years. Of the 26, the majority (20) were sentenced to death for their alleged involvement in the 1965 coup attempt or for membership in the PKI. Four were Muslim activists convicted of violent crimes and subversion and two were criminal offenders accused of murder(see Indonesia: Four Political Prisoners Executed, February 1990, ASA 21/04/90).

In March 1990, there were reports that six other political prisoners, accused of membership of the PKI or involvement in the 1965 coup attempt or the 1967 Blitar Rebellion, were to be executed on 11 March. Although the executions were not carried out on the expected date, Amnesty International believed that the six prisoners -- Ruslan Widjayasastra, Sukatno, Iskandar Subekti, Asep Suryaman, I. Bungkus and Marsudi -- remained in imminent danger of execution (see Urgent Action ASA 21/06/90, March 1990). There were unconfirmed reports that two PKI activists -- Mochtar Effendi Sirait and Tohong Harahap -- both sentenced to death in 1974, had been executed in October 1989. Azhar bin Mohammad Safar, an Islamic activist convicted in 1982 of subversion and illegal firearms possession, received a temporary reprieve 10 hours before his scheduled execution in December 1988.

Amnesty International Activity

Amnesty International appealed for the release of prisoners of conscience and for a review of other political cases involving unfair trials. The organization expressed concern about reports of torture and ill-treatment in both Indonesia and East Timor, and appealed for the commutation of death sentences and an end to executions. In February 1990, Amnesty International wrote to President Suharto expressing its deep regret at the execution of four political prisoners and urging the commutation of all outstanding death sentences. In March it appealed to the President and other government authorities not to carry out the execution of six further political prisoners reportedly scheduled for 11 March 1990.

Following a meeting with representatives of the Indonesian Government in February 1989, Amnesty International submitted a formal proposal for a visit to Indonesia and East Timor later in the year. Despite assurances that the proposal was under consideration, no official reply had been received by the end of February 1990.

In August 1989, Amnesty International submitted information about human rights violations in East Timor to the United Nations Special Committee on Decolonization. It noted that despite the official "opening" of East Timor in January, there were still reports of serious human rights violations in the territory.